

**Sep 11, 2018**

SEAN F. MCAVOY, CLERK

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

DENA K.,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL  
SECURITY

Defendant.

No. 2:17-cv-00121-FVS

ORDER ADOPTING REPORT AND  
RECOMMENDATION TO GRANT  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AND TO  
DENY DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

**BEFORE THE COURT** is the Report and Recommendation issued by Magistrate Judge Mary K. Dimke on August 20, 2018, ECF No. 14, recommending Plaintiff's Motion for Summary Judgment, ECF No. 10, be granted and Defendant's Motion for Summary Judgment, ECF No. 11, be denied. No objection was filed.

After reviewing the Report and Recommendation and relevant authorities; the Court finds the Magistrate Judge's findings are correct. Therefore, the Court

1 adopts the Report and Recommendation in its entirety. Accordingly, **IT IS**

2 **ORDERED:**

3 1. The Report and Recommendation, **ECF No. 14**, is **ADOPTED** in its  
4 entirety.

5 2. Plaintiff's Motion for Summary Judgment, **ECF No. 10**, is  
6 **GRANTED.**

7 3. Defendant's Motion for Summary Judgment, **ECF No. 11**, is  
8 **DENIED.**

9 4. An application for attorney fees may be filed by separate motion.

10 The District Court Executive is directed to file this Order and forward copies  
11 to the parties. Judgment shall be entered for Plaintiff and the file shall be

12 **CLOSED.**

13 DATED September 11, 2018.

14 s/Fred Van Sickle  
15 Fred Van Sickle  
16 Senior United States District Judge  
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